

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

IN RE IGLOO PRODUCTS COOLER  
RECALL LITIGATION

C.A. No. 1:25-cv-00298-JLH  
CONSOLIDATED

**DECLARATION OF ERICA RUTNER IN SUPPORT OF DEFENDANT'S NOTICE IN  
SUPPORT OF ZANNETTINO PLAINTIFFS' MOTION FOR APPOINTMENT OF  
INTERIM LEAD COUNSEL**

I, Erica Rutner, declare as follows:

1. I am an attorney licensed to practice in the States of Florida and California. I am a Shareholder at Cozen O'Connor and lead counsel for Defendant Igloo Products Corp. ("Defendant") in this matter.

2. Following the filing of the original Complaint in this action, an introductory call was scheduled between counsel. This call occurred on March 26, 2025, and was attended by myself and Michael Poretz on behalf of Defendant and Yeremey Krivoshey on behalf of Plaintiffs' Kelsea Holton and Luis Miranda. At the time, I was a partner at the law firm Moore & Lee LLP. I subsequently joined the law firm Cozen O'Connor as of May 10, 2025.

3. On the March 26, 2025 call, I requested an extension of time to respond to the Complaint due to personal and professional conflicts. I explained to Mr. Krivoshey that I had significant conflicts in the next 60 days and requested that he agree to a 90-day extension as a professional courtesy. I also reiterated that such an extension would not be prejudicial given that several other related actions had already been filed and there would likely be motion practice related to the transfer and consolidation of these other matters prior to the filing of any substantive response. In response, Mr. Krivoshey refused and proceeded to raise his voice to me, claiming he has "never" given any party more than 30 days to respond as a professional courtesy and that he was not going to start now.

4. On May 28, 2025, Mr. Krivoshey sent me an email asking if I had some time to “chat about the case tomorrow.” I readily agreed to schedule a call with Mr. Krivoshey. The following day, which was only the second time the parties had spoken telephonically, the parties attended the requested telephonic conference. At the onset of the call, and without any prior warning, Mr. Krivoshey confronted me and Defendant’s other counsel of record with accusations that we acted inappropriately by failing to inform him of the filings made by counsel for the plaintiffs in the related consolidated class action then pending in the Central District of California, *Zannettino et al. v. Igloo Products Corp.*, No. 2:25-cv-01917 (C.D. Cal.). Mr. Krivoshey also demanded that Defendant file a motion to transfer *Zannettino* without waiting for the various plaintiffs in that action to file a consolidated complaint.

I declare under penalty of perjury under the laws of the United States and the State of Florida that the foregoing is true and correct. Executed in Boca Raton, Florida, on July 23, 2025.



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Erica Rutner